



## New Jersey Department of Children and Families Policy Manual

Manual:	CP&P	Child Protection and Permanency	Effective Date:
Volume:	VIII	Special Interest Topics	
Chapter:	F	Children in Conflict With the Law	3-7-2011
Subchapter:	1	Juveniles	
Issuance:	700	<b>Inter-Agency Affiliation Agreement Regarding Juvenile Parolees Presenting Potential Protective Service Concerns</b>	

### Purpose

**3-7-2011**

The Juvenile Justice Commission (JJC), the Department of Children and Families' State Central Registry (SCR), the Division of Child Protection and Permanency (CP&P), and the State Parole Board (SPB) entered into a working agreement to share information and work in cooperation regarding the release of juvenile residents and parolees from juvenile correctional facilities who have a history of offenses against children. The affiliation agreement serves to:

- Enhance the ability of CP&P to protect the welfare and assure the safety of children who may come in contact with a juvenile parolee;
- Maintain and enhance coordination among representatives of the JJC, DCF (SCR and CP&P), and the SPB to protect the public;
- Establish protocols for collaborative efforts regarding joint planning and shared service delivery for juvenile parolees, when indicated. For policy regarding the procedure to request adult probation records from the Probation Services Division, see the Adult Probation Records section of [CP&P-IX-G-1-100](#).

DCF's role in the affiliation agreement stipulates that home assessments are completed by CP&P in situations where the juvenile parolee plans to live with an active CP&P case, a former CP&P case, or an active CP&P resource family home. In all other situations, the Office of Juvenile Parole and Transitional Services (JPATS) Regional Office conducts pre-parole investigations without CP&P input.

This policy centers on the risk a juvenile parolee may pose to a child in the community. For policy on CP&P responsibilities toward juvenile parolees under CP&P supervision who are incarcerated at a JJC facility, or who will need child welfare services upon release, see Children in Conflict with the Law, [CP&P-VIII-F-2-100](#).

## **Use**

**3-7-2011**

The specific responsibilities and actions of each participating agency are outlined in the body of the agreement. General areas covered include:

- Pre-parole information exchange and procedures;
- Movement of a juvenile parolee living in the community;
- Movement of children involved with juvenile parolees;
- Suspected violations of the conditions of a juvenile's parole;

## **Definitions**

**3-7-2011**

For the purpose of this policy (based on the Agreement), the following definitions apply:

"Juvenile" means an individual who has been adjudicated delinquent and is in the custody and care of the Juvenile Justice Commission. The term includes probationers, juvenile parolees, and persons serving a term of post-incarceration supervision.

"Juvenile Parolee" means an adjudicated delinquent in the custody and care of the JJC, subject to the jurisdiction of the State Parole Board (SPB), who has been released on parole and/or post-incarceration supervision, or any individual released from another State juvenile secure facility who resides in New Jersey under the terms of the Interstate Compact for Juveniles.

"Juvenile Probationer" means an individual who has been adjudicated delinquent and sentenced by a judge of the Superior Court of New Jersey to a term of probation with the condition that he or she participates in a Commission community-based residential or day program.

"Juvenile Justice Commission" (JJC) or "Commission" mean the State agency created pursuant to the provisions of N.J.S.A. 52:17B-169 et seq., mandated by State legislation to implement juvenile justice reform in New Jersey, whose mission is to protect the public and rehabilitate juveniles through a continuum of services including delinquency prevention and intervention, incarceration, education, and re-entry.

"Office of Juvenile Parole and Transitional Services" (JPATS) means the office within the JJC which is charged with the preparation for release and supervision of those juvenile offenders who have been, or are being, released by the SPB either on parole or post-incarceration supervision, and the supervision of juvenile parolees from other states who have been accepted under the terms of the Interstate Compact for Juveniles.

"State Parole Board" (SPB) is the agency designated by New Jersey State statute as the releasing authority for sentenced offenders, including juvenile offenders. The SPB Juvenile Panel renders the decision as to when a resident is released on Parole or Post Incarceration Supervision, and establishes Parole and Post Incarceration conditions. In addition, the Juvenile Panel decides what action(s) to take if a parolee violates the conditions of Parole or Post Incarceration Supervision.

"Target Population" - the Affiliation Agreement applies to the population of juveniles committed to the JJC with current, prior, or amended charges committed against a child victim, including charges of Homicide (including Murder, Manslaughter, Aggravated Manslaughter), sexual offenses, or any other charges of a sexual nature (e.g., Lewdness with a sexual content) for which they have been adjudicated as delinquent. Juveniles with charges of Child Endangerment, Child Abuse or Child Neglect are also included in the target population.

### **DCF Participation**

**3-7-2011**

DCF implementation of the affiliation agreement involves participation by:

- State Central Registry (SCR) Special Duties Unit;
- CP&P Deputy Director (Case Practice);
- CP&P Local Office Managers/designees and Local Office staff (including case-carrying staff and Resource Family Support Unit staff), when a home assessment is warranted; and
- The Children's System of Care (CSOC) (when services are needed to place a juvenile in a residential treatment center or a CSOC facility).

### **Referral from Juvenile Parole**

**3-7-2011**

The JPATS Regional Office conducts an investigation of the juvenile parolee's proposed residence, which includes, but is not limited to, gathering the following information:

- The type of dwelling/description of the proposed residence;
- An evaluation of the proximity and/or relationship to known child victims or potential victims (i.e., to determine the juvenile's access and potential risk to those children);
- The nature of the juvenile's offense(s), the caregiver's attitude toward the juvenile's offense history, and the family's ability to manage potential risk to other children.

Upon receipt of a preliminarily approved parole plan from the JPATS Regional Office, JJC forwards the plan (i.e., exchange information) via fax transmittal to the State Central Registry (SCR), including:

- The address and telephone number of the proposed residence;
- The name and birth date of each child in the residence;
- The name and birth date of the primary adult(s) - i.e., caregivers - in the home;
- Identifying information about other adults residing in the home.

The Regional JPATS Office will not make a final determination on whether a proposed plan is suitable until SCR or the CP&P Local Office provides a written recommendation.

Likewise, before permitting a juvenile parolee living in the community to change his or her residence, the Parole Officer contacts SCR, to have the proposed address screened in accordance with this policy.

### **SCR Special Duties Unit**

**3-7-2011**

Upon receipt of notification from the Juvenile Justice Commission (JJC) - i.e., exchange information received by fax transmittal - the SCR Special Duties Unit conducts a search in NJ SPIRIT to determine whether 1) the juvenile is known to CP&P, as a participant in either an active or a closed case; 2) the family with whom the juvenile parolee intends to reside is known to CP&P, as an active or a closed case; or 3) the residence is an active CP&P resource family home.

The SCR Special Duties Unit handles the exchange information referral as follows

- Complete a comprehensive NJ SPIRIT search based on the information provided, searching the names of the juvenile parolee and each household member.
- When no matches are found upon completing the NJS search, complete CP&P Form [14-77](#), CP&P/Parole Information Exchange, to advise the JJC that no further action is required of, or will be taken by, SCR/CP&P in response to the referral. See form instructions.
- When the discharge plan is for the juvenile parolee to reside 1) with an active or closed CP&P client family; or 2) in an active CP&P resource family home, complete a Screening Summary, DCF Form [1-1](#), in NJ SPIRIT, code the referral CWS, and assign it to the appropriate CP&P Local Office (LO) for a home assessment/response.

- Refer the case to the appropriate child protective agency in another state, when the juvenile parolee's plan is to reside in another state (i.e., the juvenile will not reside in New Jersey).

Based on the results of the NJS search and the screening of the exchange information, the SCR Special Duties Unit notifies the JJC of the status of the SCR screening/assignment to CP&P by completing CP&P Form [14-77](#), CP&P/Parole Information Exchange. If an assignment was made, include the name of the CP&P Local Office responsible for completing the assessment. Document the status of each referral (i.e., exchange information on individual juvenile offenders) by a log entry in the exchange database, maintained by SCR, where each disposition is tracked.

### **CP&P Local Office Liaison to Regional JPATS Office      3-7-2011**

Each Local Office Manager names a designee to serve as the office's Liaison to the JJC's Office of Juvenile Parole and Transitional Services (JPATS), known as the JJC Liaison. For counties served by more than one Local Office, one staff member may be named the Liaison, to handle the entire county, as determined by the Area Director. The LO's JJC Liaison coordinates:

- The working relationship between the Local Office(s) and the Regional JPATS Office;
- Tracking parolee-related casework completed by the Local Office(s);
- Inter-agency problem solving relating to the tenets of the affiliation agreement; and
- Reporting problematic individual case situations or inter-agency disputes to the CP&P Deputy Director.

### **CP&P Home Assessment Conducted by Local Office      3-7-2011**

CP&P completes a home assessment in situations where a juvenile has given as his or her proposed residence a home where he or she will be living with an active or former CP&P client family or an active CP&P resource family home.

Upon receipt of the assignment from SCR, the assigned Worker or Supervisor may contact the JPATS Regional Office for additional or clarifying information.

The assigned Worker or a Resource Family Support Worker:

- Initiates a home visit within five (5) work days of receipt of the intake assignment from SCR;

- Confirms who lives in the home (names and ages), including each caregiver and each child;
- Determines the relationship between each child residing in the home and the juvenile parolee;
- Determines if any of the children are former victims of the juvenile parolee;
- Determines where the juvenile parolee will sleep in the home;
- Advises the family of CP&P roles and responsibilities regarding parole planning;
- Assesses risk to the child, if the juvenile parolee is permitted to reside in the home or visit the home;
- Determines whether CP&P services are needed by the juvenile parolee or the family, to permit the juvenile's safe re-integration into the home or community (see policy at [CP&P-VIII-F-2-100](#));
- Writes a recommendation as to whether the juvenile parolee should be permitted to reside in, or visit, the home, and, when appropriate, suggests conditions of parole; and
- Sends a written recommendation to the JPATS Regional Office within three (3) days of completing the assessment.

If the Local Office will not be able to complete the home assessment in eight (8) days from assignment, the assigned Worker or the Liaison contacts the JPATS Regional Office to advise JPATS of the reason for the delay.

The responding Worker completes DCF Form [3-1](#), CWS Assessment Summary, in NJ SPIRIT. Complete other case recording, if a case is being opened for the provision of services in the Case Management Program.

### **Client Family Refuses to Cooperate**

**3-7-2011**

If a former CP&P client family refuses to cooperate with a CP&P home assessment, the assigned Worker or Supervisor notifies the Local Office JJC Liaison, who advises the JJC that a recommendation cannot be made due to a lack of cooperation from the family. If the Worker has concerns about safety or risk to a child or children, he or she consults a Supervisor or the Casework Supervisor.

A representative from the Local Office's Resource Family Support Unit (RFSU) is assigned the intake when a home assessment is needed on an active resource family home. If the provider refuses to cooperate with the assessment, the RFSU 1) advises

the JJC Liaison; and 2) consults the Office of Licensing, to determine an appropriate course of action to pursue regarding the license and the status of the home.

**Parole Notification, CP&P Form [14-77](#)**

**3-7-2011**

The SCR Screener or the assigned CP&P Worker completes CP&P Form [14-77](#), DCF/Parole Information Exchange, in accordance with form instructions, and proceeds as follows:

1. No current CP&P case, no former case, and/or no active resource family home located at the dwelling unit proposed by the juvenile parolee as his or her parole residence.

The SCR Special Duties Unit completes CP&P Form [14-77](#) to indicate the status of the NJS records search, and that no further action will be taken by SCR or CP&P to address the referral (exchange information).

2. Active Case or Open/Licensed CP&P Resource Family Home

SCR Designee (at Local Office) assigns the CWS Assessment to a Supervisor/unit.

The assigned Worker or the Resource Family Support Worker conducts a home assessment. Document the assessment by completing DCF Form [3-1](#), CWS Assessment Summary, in NJ SPIRIT.

File the Parole Notice and a copy of CP&P Form [14-77](#), DCF/Parole Information Exchange, in the case record or resource family home file.

Send the original copy of CP&P Form [14-77](#), with any explanatory notes, memo attachments, and recommendations on conditions of juvenile parole, etc., to the Parole District Office.

3. Former CP&P Case

The currently assigned Worker documents the home assessment and related work by completing the CWS Assessment Summary, DCF Form [3-1](#), in NJS.

If, after the home assessment is completed, the individual situation warrants continued CP&P involvement, open the case for services. (The case moves from the Initial Response Program to the Case Management Program within 60 days of SCR assigning the CWS to the Local Office for response.)

If the Parole decision is compatible with CP&P recommendations, and no further CP&P services are to be provided after the home assessment is completed, CP&P closes its case.

File the Parole Notice, a copy of the completed CP&P Form [14-77](#), and any memos or correspondence from or to the Parole District Office in the case record.

## **Inter-Agency Dispute Resolution**

**3-7-2011**

The Regional JPATS Office takes into consideration any recommendations or concerns raised by SCR or CP&P. Services may be identified by CP&P or JPATS, and explored, to permit the juvenile to return home in accordance with the pre-parole plan.

If JPATS determines that the proposed residence is unsuitable based on CP&P concerns and recommendations, the assigned Officer may request an alternate address.

If the pre-parole plan is approved by the JPATS Regional Office, despite CP&P concerns and/or recommendations to reject the home, the plan is forwarded to the State Parole Board for a final decision. If the SPB determines to override CP&P recommendations, the SPB immediately notifies CP&P.

The assigned Worker or Supervisor directs any disagreements with the JPATS Regional Office immediately to the Local Office JJC Liaison for timely resolution. The Liaison consults the Local Office Manager, then, if necessary, the Area Director, toward resolution.

In cases where these efforts are unsuccessful in resolving the dispute, refer the matter for resolution to the Parole Liaison in the Office of Program Operations in CP&P, and the JJC Special Needs Administrator. The Special Needs Administrator may consult with the JJC's Office of Specialized and Interagency Activities for further action, as necessary.

## **Responsibilities of Participating Agencies in Accordance With the DCF-JJC Memorandum of Understanding/Affiliation Agreement**

**3-7-2011**

### **Pre-Release Responsibilities of the JJC**

**3-7-2011**

1. The Institutional Parole Office (IPO) within JPATS is responsible for the implementation of the provisions of this Agreement and for coordinating with the other participating agencies.
2. The IPO will assign the investigation to the appropriate JPATS Regional Office. The results of the investigation shall be forwarded to the IPO.
3. The IPO shall forward the plan along with a cover letter to SCR. Information provided shall include the address and telephone number, names, and dates of birth of the children in the residence, names and birth dates of primary adults, and names and birth dates of other adults residing at the residence.



4. If SCR or CP&P have concerns or recommendations, or find the plan unsuitable, JPATS shall take these into consideration and determine the next step. The JPATS Regional Office, CP&P Local Office, and, if applicable, the Children's System of Care (CSOC) shall collaborate to address SCR/CP&P concerns or recommendations, and to determine if services are available to render the home acceptable.
5. If CP&P approves the residence and will be providing services, the IPO shall provide CP&P with a copy of the conditions of parole within 72 business hours of the juvenile's release.
6. On the first of each month, the IPO shall send SCR a list of overdue CP&P responses for follow up.

#### **Pre-Release Responsibilities of SCR and CP&P      3-7-2011**

1. Within 20 working days of receipt of a request, SCR shall provide the IPO with a written determination, stating whether a proposed residence is a suitable plan.
2. In emergencies, and when time frames are short, CP&P shall respond, as necessary, to ensure a viable, timely, and safe release plan. The CP&P response shall be within 72 hours of receipt of the request from JPATS.
3. SCR shall ensure that overdue CP&P investigations are completed, and that a response is made to the IPO within three (3) working days of receipt of a late notice. Lack of a timely response by CP&P will not delay release of the juvenile to the proposed address.

#### **Post-Release Responsibilities of the JJC (for Open CP&P Cases, Juvenile Parolee Living in the Community)      3-7-2011**

1. If, during a parolee's term of supervision, it becomes necessary for the juvenile to relocate, JPATS shall investigate the proposed new address, and shall notify SCR of the proposed move as soon as possible.

SCR shall screen the call, and assign it to the CP&P Local Office for response, if appropriate. CP&P shall submit its recommendation to JJC within five working days.

2. In emergent crisis situations, JPATS shall conduct an immediate assessment of possible residences, and place the parolee temporarily, pending SCR/CP&P recommendation and approval.

#### **Post-Release Responsibilities of SCR and CP&P (for Open CP&P Cases, Juvenile Parolee Living in the Community)      3-7-2011**

1. When SCR receives notice that a juvenile parolee residing in the community plans to change in his or her residence, it shall undertake the screening/assessment process. SCR shall assign the exchange information referral to the CP&P Local Office for response. CP&P shall respond to the JPATS Regional Office prior to the proposed date of the juvenile's move, within five (5) working days from receipt of notice.
2. A CP&P Local Office and/or the Children's System of Care (CSOC) shall immediately telephone the Regional JPATS Office upon learning that a juvenile parolee has moved into, or is found to be residing in, the home of an active CP&P family or an active resource family home. The CP&P Local Office shall provide the Regional JPATS Office with a written confirmation and brief assessment of the home situation within three (3) working days of notice from JPATS.
3. If SCR, CP&P, or the Children's System of Care (CSOC) learns of a juvenile parolee's unapproved change in residence, it shall notify JPATS immediately to ensure the appropriate response by each agency. Once JPATS is notified, the supervising Parole Officer shall be dispatched immediately to conduct an assessment of the residence. The findings shall be communicated to SCR/CP&P.
4. SCR or the CP&P Local Office shall verbally notify the JPATS Regional Office Supervisor when a juvenile parolee is believed to be in violation of the conditions of parole, or otherwise presents risk to a child. SCR/CP&P shall make written notice to JPATS to confirm the situation no later than the next work day.

**Memorandum of Understanding (MOU) Inter-Agency Affiliation Agreement for Protective Services      3-7-2011**

An inter-agency Memorandum of Understanding and a corresponding Affiliation Agreement are being revised and updated. They will be inserted here, once they are finalized and signed.

For policy regarding the procedure to request adult probation records from the Probation Services Division, see the Adult Probation Records section of [CP&P-IX-G-1-100](#).